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**From:** Young, David (DPH)  
**Sent:** Friday, October 07, 2011 11:21 AM  
**To:** Looney, Ann; Han, Linda (DPH)  
**Cc:** Lawler, Michael (DPH); Davenport, Russell (DPH); Stiles, Tracy (DPH)  
**Subject:** RE: Training Time v. Vacation Time

Ann, would you please file the grievance with me at Step II so I can review it to see if waiving to Step III is appropriate. Thank you.

-----Original Message-----

From: Ann Looney [<mailto:alooney@moses-ma.org>]  
Sent: Friday, October 07, 2011 10:17 AM  
To: Han, Linda (DPH)  
Cc: Lawler, Michael (DPH); Davenport, Russell (DPH); Young, David (DPH); Stiles, Tracy (DPH)  
Subject: RE: Training Time v. Vacation Time  
Importance: High

Thank you. Will the administration then waive Steps 1 and 2 of the grievance process?

Ann M. Looney  
General Counsel  
MOSES  
90 North Washington Street, Suite 3  
Boston, MA  
[alooney@moses-ma.org](mailto:alooney@moses-ma.org)  
617-367-2727; 1-800-845-1141

Injustice boils in men's hearts as does steel in its cauldron, ready to pour forth, white hot, in the fullness of time. Mother (Mary Harris) Jones

-----Original Message-----

From: Han, Linda (DPH) [<mailto:linda.han@state.ma.us>]  
Sent: Friday, October 07, 2011 9:40 AM  
To: Looney, Ann  
Cc: Lawler, Michael (DPH); Davenport, Russell (DPH); Young, David (DPH); Stiles, Tracy (DPH)  
Subject: RE: Training Time v. Vacation Time

Thank you for your e-mail concerning Mr. Davenport's out of state travel. Please be advised that the administration is not prepared to make changes to the time he was charged.

Linda Han, MD, MPH

Director, Bureau of Laboratory Sciences

William A. Hinton State Laboratory Institute

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[www.mass.gov/dph/bls](http://www.mass.gov/dph/bls)

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From: Ann Looney [<mailto:alooney@moses-ma.org>]

Sent: Thursday, October 06, 2011 3:02 PM

To: Han, Linda (DPH)

Cc: Lawler, Michael (DPH); Davenport, Russell (DPH)

Subject: Training Time v. Vacation Time

Importance: High

Dear Dr. Han:

I am writing in the hope of avoiding a grievance in the above-referenced matter. As is usual, every 2 years Mr. Russell Davenport attends training to retain his certification. This year he attended September 26 - 30th and had filed for expense reimbursement with the federal government knowing that state funds had already been allocated to another DPH co-worker. The Federal government did reimburse Mr. Davenport for expenses, however the Commonwealth did not pay Mr. Davenport for his time at training, instead they charged his vacation time, although the laboratory was clearly aware that he was attending training.

MOSES hereby formally requests that you restore the one week of vacation time deducted from Mr. Davenport. If there is paperwork that needs to be filled out, we can see that that happens. Please let me know whether we may resolve this matter or if I should proceed to file a grievance. Thank you for your attention to this matter.

Ann M. Looney

General Counsel

MOSES

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"Of all tyrannies, a tyranny exercised for the good of its victims may be the most oppressive. It may be better to live under robber barons than under omnipotent moral busybodies. The robber baron's cruelty may sometimes sleep, his cupidity may at some point be satiated; but those who torment us for our own good will torment us without end, for they do so with the approval of their consciences." -C.S. Lewis